



BAU 3308

PK
10-1-97

#18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Thomas Zdeblick et al.

Serial No. 08/411,017

Filed March 27, 1995

INTERBODY FUSION DEVICE AND
METHOD FOR RESTORATION OF
NORMAL SPINAL ANATOMY

Before the Examiner

D. Isabella

Group Art Unit 3308

August 22, 1997

RECEIVED

SEP 17 1997

GROUP 3308

I hereby certify that this correspondence is
being deposited with the United States Pos-
tal Service as first class mail in an
envelope addressed to the Assistant
Commissioner for Patents, Washington, D.C.
20231 on August 22, 1997
(Date of Deposit)

RESPONSE TO SECOND OFFICE ACTION

Hon. Assistant Secretary and
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Michael D. Beck
Name of Registered Representative

Michael D. Beck
Signature

August 22, 1997
Date of Signature

Sir:

In response to the Office Action dated June 6, 1997, Applicant hereby submits the
following. Additionally, please provide any extensions of time and charge any fees due
to Deposit Account No. 23-3030, but not to include payment of issue fees.

REMARKS

Following the withdrawal of a prior Final Action, a new Office Action was issued
in which claims 1-11 were rejected as anticipated by the patent to Kohrs et al., No.
5,609,636. Claims 12-14 were deemed to be allowed.

In support of the anticipation rejection of the remaining claims, it was suggested
that the embodiment of FIGS. 17-23 of the Kohrs patent included all of the elements in
the rejected claims.

Serial No. 08/411,017
Filed 3/27/95
Zdeblick, et al.
Our Ref: 95:03:PA (4002-209)
Response to Second OA